

## Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 L-02 CU-02 IO-10 CIAE-00 INR-05 NSAE-00

RSC-01 A-01 SY-04 CPR-01 H-01 PRS-01 SS-15 NSC-05

/059 R

DRAFTED BY ARA/CAR:DASTRASSER

APPROVED BY ARA/CAR:WBWHEELER

L/M KEMALMBORG (DRAFT)

L/ARA DAGANTZ

CU/ARTS MPALMER (SUBS)

----- 028803

R 241845Z DEC 74

FM SECSTATE WASHDC

TO AMEMBASSY PORT AU PRINCE

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E.O. 11652: N/A

TAGS: SCUL, HA

SUBJECT: HAITIAN DIPLOMATIC ARCHIVES OFFERED FOR  
SALE IN U.S.

1. YALE UNIVERSITY LIBRARY HAS INFORMED THE DEPARTMENT OF  
HAVING BEEN APPROACHED WITH AN OFFER TO SELL IT THE  
DIPLOMATIC ARCHIVES OF THE REPUBLIC OF HAITI FOR THE  
YEARS 1865-91, ASKING PRICE IS \$200,000. APPROACH WAS  
MADE BY MARIE ROSE JEAN, HAITIAN EXPATRIATE REAL  
ESTATE AGENT IN NEW YORK, WHO IS SERVING AS AN INTERMEDIARY  
FOR EUGENE MAXIMILIEN.

2. AS EMBASSY NO DOUBT AWARE, MAXIMILIEN. NOW APPARENTLY  
IN RETIREMENT AND SHORT OF FUNDS IN PORT AU PRINCE, WAS  
FORMERLY HAITIAN CONSUL GENERAL IN MIAMI FROM 1965 UNTIL  
SEPTEMBER 1971, WHEN HE WAS RECALLED IN EXCHANGE FOR THE  
DROPPING OF CHARGES AGAINST HIM FOR POSSESSION OF MARIJUANA.  
DURING HIS CAREER AS CONSUL GENERAL, HE APPARENTLY CARRIED  
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OUT NUMEROUS PRIVATE MISSIONS FOR THE LATE PRESIDENT

FRANCOIS DUVALIER. MRS. JEAN CLAIMS HE COLLECTED MATERIAL FOR THE VOLUMES IN THE COURSE OF TRAVEL ON DR. DUVALIER'S BEHALF.

3. U.S. GOVERNMENT HAS SHOWN CONCERN FOR PROTECTION OF CULTURAL PROPERTY (AS DEMONSTRATED BY U.S. PARTICIPATION IN DRAFTING OF UNESCO CONVENTION ON THE OWNERSHIP OF CULTURAL PROPERTY, NOW AWAITING IMPLIMENTING LEGISLATION

IN CONGRESS) AND HAS IN THE PAST, WHERE APPROPRIATE, FACILITATED THE RECOVERY OF STOLEN ART AND HISTORICAL MATERIALS BY OTHER GOVERNMENTS. (NB.-A SIGNIFICANT DISTINCIION EXISTS BETWEEN RECOVERY OF STOLEN PROPERTY AND ENFORCEMENT OF FOREIGN EXPORT LAWS.) FOR EXAMPLE, ON DISCRETIONARY BASIS, WE HAVE INFORMALLY ASSISTED FOREIGN GOVERNMENTS IN RECOVERY THROUGH U.S. COURT ACTION OF STOLEN ART OBJECTS. IN ANY EVENT, BEFORE AN OFFER OF USG ASSISTANCE CAN BE EXTENDED, FOREIGN GOVERNMENT CONCERN AND WILLINGNESS TO BEAR PRINCIPAL BURDEN IN TAKING LEGAL STEPS FOR REPATRIATION OF STOLEN PROPERTY MUST BE CLEARLY ESTABLISHED. WE WOULD WISH TO EXAMINE MATTER IN DEPTH BEFORE DECIDING WHAT USG ASSISTANCE, IF ANY, TO HAITI, WOULD BE APPROPRIATE.

4. FIRST QUESTION TO BE ANSWERED IS WHETHER DOCUMENTS IN QUESTION, PRESUMABLY OF SIGNIFICANT HISTORICAL AND PERHAPS MONETARY VALUE, WERE STOLEN FROM HAITIAN GOVERNMENT. WE WOULD ALSO BE INTERESTED IN KNOWING WHETHER HAITIAN LAW PROHIBITS EXPORT OR SALE OF SUCH DOCUMENTS. EMBASSY, AT ITS OWN DISCRETION, MAY WISH TO MAKE INQUIRIES WITH APPROPRIATE GOH OFFICIALS CONCERNING THE WHEREABOUTS AND LEGAL STATUS OF HAITIAN DIPLOMATIC ARCHIVES FOR PERIOD IN QUESTION. SHOULD FURTHER ACTION APPEAR NECESSARY, EMBASSY'S THOUGHTS ON HOW WE MIGHT PROCEED WITH GOH WOULD BE APPRECIATED. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
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**Concepts:** CULTURAL PROPERTY, ARCHIVES, SALES, PROPERTY PROTECTION  
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**Draft Date:** 24 DEC 1974  
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**Disposition Approved on Date:**  
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**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** HAITIAN DIPLOMATIC ARCHIVES OFFERED FOR SALE IN U.S.  
**TAGS:** SCUL, HA, US  
**To:** PORT AU PRINCE  
**Type:** TE  
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